

STROOCK

May 15, 2020

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Via ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Kewazinga Corp. v. Google LLC*, Case No. 20-cv-1106 (LGS)
Joint Status Report

Dear Judge Schofield:

We write on behalf of both parties, Plaintiff Kewazinga Corp. (“Kewazinga”) and Defendant Google LLC (“Google”), to provide a joint status report pursuant to the Court’s April 16, 2020 scheduling order (ECF No. 32) and Your Honor’s Individual Rule IV.A.2.

Kewazinga’s complaint was filed on February 7, 2020, and Google’s answer was filed on April 24, 2020. No other substantive pleadings have been filed. On April 16, 2020, the Court ordered that discovery related to Google’s equitable estoppel defense is to be completed by June 16, 2020. ECF No. 33. The Court further scheduled a conference on June 25, 2020 to discuss whether an evidentiary hearing is necessary to address Google’s equitable estoppel defense. *Id.* Any such evidentiary hearing is scheduled for July 15, 2020. *Id.* Disclosure of contentions under the governing patent rules and claim construction proceedings are to proceed per the parties’ prior-agreed (and the Court’s ordered) schedule. *See id*; *see also* ECF No. 32 at 1-2. All other discovery is stayed.

The parties are conducting discovery related to Google’s equitable estoppel defense and Kewazinga’s defenses thereto. The below table summarizes the discovery requests that have been propounded to date and the expected response dates.

<u>Date</u>	<u>Party</u>	<u>Requests For Written Discovery/Production</u>	<u>Response Due</u>
04/22/2020	Kewazinga	First Set of Interrogatories (Nos. 1–6)	05/22/2020
04/22/2020	Kewazinga	First Set of Requests for Production (Nos. 1–25)	05/22/2020
05/01/2020	Google	First Set of Interrogatories (Nos. 1–5)	06/01/2020
05/01/2020	Google	First Set of Requests for Production (Nos. 1–21)	06/01/2020
05/05/2020	Google	Second Set of Interrogatories (No. 6)	06/05/2020
05/05/2020	Google	First Set of Requests for Admission (Nos. 1–22)	06/05/2020
05/08/2020	Google	Second Set of Requests for Admission (Nos. 23–24)	06/08/2020
05/15/2020	Google	Third Set of Requests for Admission (Nos. 25–64)	06/15/2020
05/15/2020	Kewazinga	First Set of Requests for Admission (Nos. 1–30)	06/15/2020

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<u>Date</u>	<u>Party</u>	<u>Deposition Notices</u>	<u>Notice Date</u>
05/08/2020	Google	Rule 30(b)(1) Notice to Ian DiBernardo	05/27/2020
05/08/2020	Google	Rule 30(b)(1) Notice to Leonard Smalheiser	05/28/2020
05/08/2020	Google	Rule 30(b)(1) Notice to David Worley	05/29/2020
05/08/2020	Google	Rule 30(b)(6) Notice	06/01/2020

Today, Google served a document production comprising 1,145 pages. There have been no discovery responses from either party. The parties currently anticipate meeting the Court's June 16, 2020 deadline to complete discovery regarding Google's equitable estoppel defense (ECF No. 33 at 1) and all other discovery deadlines set forth in the Court's April 16, 2020 Scheduling Order (ECF No. 32).

Respectfully submitted,

/s/ Ian G. DiBernardo

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